

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :	Jae-Kyu Jung et al.	Art Unit :	1625
Serial No. :	10/578,732	Examiner :	Taofiq A. Solola, Ph.D.
Filed :	May 10, 2006	Conf. No. :	9799
Title :	4-OXO-4,5-DIHYDRO-FURAN-2-CARBOXYLIC ACID DERIVATIVES AND METHODS OF TREATMENT OF METABOLIC-RELATED DISORDERS THEREOF		

Mail Stop Express Abandonment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

EXPRESS ABANDONMENT UNDER 37 CFR §1.138

Applicant hereby expressly abandons U.S. Pat. App. Ser. No. 10/578,732 (hereinafter "the '732 application"), filed May 10, 2006, in favor of the copending continuation application, U.S. Pat. App. Ser. No. 11/602,551 ("the '551 application"), filed November 21, 2006. This abandonment is made without prejudice and is not intended as an abandonment of the subject matter disclosed and claimed in this application.

Both applications are pending before the same Examiner and were each subject to a nine-way restriction requirement and an election of species requirement. The Office further required an election of one of the compound groups, Groups I to VII, upon election of Groups VIII or IX and an election of a disease state upon election of Group VIII. For the '551 application, Applicants elected Group II (reciting particular compounds of Formula (I) and compositions thereof) and chose compound 28 as the elected species. For the '732 application, Applicants elected Group VIII (reciting methods of treatment) and further chose Group II as the further elected compound group, compound 28 as the elected species, and dyslipidemia as the elected disease state. On May 13, 2008, the Office mailed a non-final office action for each application. The restriction requirement with respect to Groups I to VII was withdrawn in each application. Several grounds of rejection were presented in the office action for the '732 and the '551 applications.

CERTIFICATE OF MAILING BY EFS-WEB FILING

I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date: November 06, 2008

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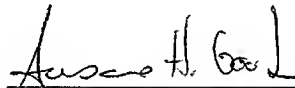
Attorney's Docket No.: 22578-
0006US1 / 080.US2.PCT

Applicants have elected to abandon the '732 application in favor of the '551 application for reasons unrelated to patentability. By filing this petition of express abandonment, Applicants do not concede the merits of the rejections set forth in the office action for the '732 application and do not intend any abandonment of the subject matter disclosed and claimed in the '732 application. Applicants reserve the right to pursue the disclosed or claimed subject matter of the '732 application in the '551 application or a future continuing application.

Please apply any charges or credits to Deposit Account No. 06-1050 referencing 22578-0006US1.

Respectfully submitted,

Date: November 6, 2008



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